

STATE OF TEXAS §
 §
COUNTY OF CHAMBERS §
 §

AFFIDAVIT OF GREG POOLE

Before me, the undersigned Notary Public, appeared Dr. Greg Poole who, after first being sworn, did depose and say as follows:

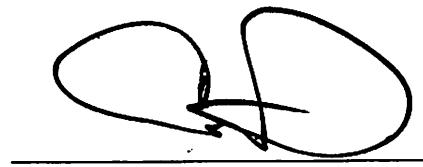
1. My name is Greg Poole. I am above the age of eighteen years. I am personally familiar with the facts contained herein, and I am competent to testify on the matters set forth herein.
2. I am the Superintendent of Schools of the Barbers Hill Independent School District (“BHISD”). BHISD is a public school district duly organized under the laws of the State of Texas located in Chambers County, Texas.
3. Darryl George (“George”) is a student who enrolled in BHISD for the first time for the 2023-2024 school year. According to school records, George turned 18 years old on October 4, 2023.
4. On January 12, 2004, I learned that George sought to enroll in a neighboring school district. However, as of the date of this Affidavit I am unaware that he was accepted for enrollment. Based upon my examination of George’s school records, I have determined that George is entitled to re-enroll in BHISD at any time. Therefore, even if George enrolls in another District, this conflict could readily arise again if George seeks to re-enroll in BHISD.
5. George has filed a series of administrative complaints against BHISD under the District’s local grievance policies. These grievances are pending at various levels of appeal in the District’s appeal process. BHISD has also received notice from the Texas Education Agency that the Agency has opened an accreditation investigation of BHISD arising out of George’s complaints and the allegation that the BHISD violates the Texas CROWN Act.
6. Attached at Exhibit 1-A hereto are photographs of George taken at school. These photographs accurately depict George’s appearance at the time they were taken during the 2023-24 school year; the first was taken from a school video surveillance camera and reviewed by the District’s administration during an investigation of George’s parent’s complaint that George was being prohibited from wearing his sweatshirt at school; the second photo was taken on student picture day.
7. The BHISD Board of Trustees has adopted a Dress Code with the stated purpose “to teach grooming and hygiene, instill discipline, maintain a safe and positive learning environment, prevent disruption, avoid safety hazards, and teach respect for authority.”
8. Attached as Exhibit 1-B is a true and correct copy of the BHISD Dress Code, which contains the District’s dress and grooming policy for secondary students.

9. The BHISD Dress Code provides that:

Male students' hair will not extend, at any time, below the eyebrows or below the ear lobes. Male students' hair must not extend below the top of a t-shirt collar or be gathered or worn in a style that would allow the hair to extend below the top of a t-shirt collar, below the eyebrows, or below the ear lobes when let down.

10. As Superintendent of Schools, I have instructed the campus administrators to use their best professional judgment in enforcing the dress code. Specifically, administrators should use reasonable judgment in determining the length of a student's hair "when let down," or when hair is naturally released from any bun, ponytail, braid or other style in which the hair is gathered. Students and their parents are given the opportunity to dialogue with the administrator when a student is deemed to be out of dress code.
11. George is a male student whose hair length that extends below the top of a t-shirt collar, below the eyebrows, and/or below the ear lobes when let down. George currently wears his hair gathered in braids or twists as depicted in Exhibit 1-A to this Affidavit.
12. According to school district records, George identifies as African American or Black.
13. The Barbers Hill High School campus administration has determined that George's hair length violates the District's dress and grooming policy due to the length of his hair. Under the District's Code of Conduct, George has been subject to disciplinary placement in the BHISD in-school suspension classroom and could also be subject to placement in the BHISD alternative education program for continued refusal to comply with the dress code.
14. As Superintendent of Schools, I have reviewed the Texas CROWN Act, which was enacted during the 88th Legislative Session as House Bill 567 (the "Act") and went into effect in Texas on September 1, 2023. The Act omits any mention of hair length. I also seen the Act's sponsor, the Honorable Representative Bowers, state in a television interview on September 13, 2023, describing the scope of the Act, stating: "It does not protect color change of the hair. It is strongly about protective styles. It is not about length and it's not about color of the hair." I am also aware that some legislators have since publicly stated that the intent of the CROWN Act was to limit the ability of public school districts from adopting dress and grooming policies that contain hair length restrictions. As Superintendent of Schools, I am seeking clarification on the application of the CROWN Act to the BHISD Dress Code.

Further, Affiant sayeth not.



Signed and sworn to before me by Dr. Greg Poole, the undersigned notary public, this 17th day of January, 2024.

